***RESERVED JUDGMENT***

***COURT NO.2***

**IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL**

**INCOME TAX APPLICATION NO.78 OF 2003**
**(Old No.102 OF 1997)**

The Commissioner of Income Tax, Meerut

..... **Applicant**

Versus

M/s ONGC Ltd. as agent of
M/s Nippon Koken K.K. Japan

..... **Respondent**

**Sri S.K. Posti, Advocate, learned counsel for the appellants**
**Sri J.P. Joshi, Advocate, learned counsel for the respondent**

**Dated: December 15, 2005**

**Coram: Hon'ble P.C. Verma, J.**
**Hon'ble J.C.S. Rawat, J.**

The facts and circumstances of the case are identical to the facts in Income Tax Appeal *No.115 of 2001, Commissioner of Income Tax, Meerut and another Vs. M/s ONGC as agent of M/s Halliburton Offshore Services Inc. Tel Bhawan, Dehradun,* which is being decided today. The substantial question which arises for our consideration has been answered in favour of the Revenue.

Accordingly, the application is allowed. The question is answered in favour of the Revenue.

**(J.C.S. Rawat, J.)** **(P.C. Verma, J.)**

*Rajeev Dang*